

MULLEN P.C.  
THE METLIFE BUILDING  
200 PARK AVENUE SUITE 1700  
NEW YORK, NY 10166

November 14, 2019  
**SO ORDERED**

**NOV 12 2019**

Hon. George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

The November 14, 2019 status  
conference is adjourned to January  
23, 2020 at 9:30 a.m.  
Plaintiffs time to serve the defendants  
is extended to February 1, 2020

VIA CM/ECF

*George B. Daniels*  
**HON. GEORGE B. DANIELS**

Re: Cheng v. Olzem et al., No. 1:19-cv-06128-GBD

Your Honor,

I represent the Plaintiff in this action for copyright  
infringement. Defendants have not yet been served. I  
write with two requests.

First, Plaintiff requests that the initial pretrial  
conference set for November 14, 2019, (see IPTC Order (ECF  
Doc. No. 11)), be adjourned for at least 60 days to permit  
service of process upon the Defendants.

Second, pursuant to Fed. R. Civ. P. 4(m), Plaintiff  
requests that the time to serve the Defendants be extended  
to February 1, 2020. See Murray v. Pataki, 378 F. App'x  
50, 52 (2d Cir. 2010) ("District courts ... have discretion  
to enlarge the ... period [for service] even in the absence  
of good cause."). Here, good cause exists for the  
extension because Plaintiff has made diligent attempts at  
service.

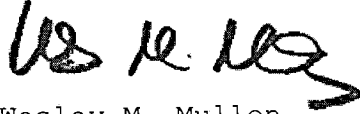
On July 9, 2019, Plaintiff sent to each Defendant a request  
for waiver of service, pursuant to Fed. R. Civ. P. 4(d)(1),  
at the corporate Defendant's registered address for service  
of process on file with the Florida Secretary of State,  
which Plaintiff also believed to be Defendant Olzem's  
residential address. (ECF Docs. Nos. 13-14.) Defendants  
did not respond.

Plaintiff's agent for service subsequently made multiple  
attempts at personal service upon the Defendants at the  
same address. On or about September 10, 2019, the agent  
was informed by the current occupant that Ms. Olzem is a  
former tenant of that address.

Plaintiff will now attempt service upon both Defendants at  
a new address recently listed on the website of the  
corporate Defendant. Failing such service, Plaintiff will

make substitute service upon the LLC via the Florida  
Secretary of State.

Respectfully,

A handwritten signature in black ink, appearing to read "Wesley M. Mullen", with a stylized flourish at the end.

Wesley M. Mullen